

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS  
EASTERN DIVISION

WELLESLEY LEASING, LLC. )

Plaintiff )

v. )

TELX COMMUNICATIONS )

CORPORATION, )

Defendant )

CASE NO. 04-11814-WGY

FILED  
CLERK'S OFFICE  
2005 APR 19 A 9:26  
U.S. DISTRICT COURT  
DISTRICT OF MASS

**AFFIDAVIT AND PROOF OF SERVICE**

I, Richard J. O'Brien, do depose and say that I, as the attorney for the Plaintiff in the above-entitled matter, did, by regular mail, notify the Defendant, Telx Communications Corporation, Att: Rory J. Cutaia, Chief Executive Officer, 17 State Street, Floor 33, New York, NY 10004-1501 by letter mailed on March 11, 2005, that Request for Default upon Assessment of Damages was filed by said Plaintiff in the U.S. District Court - Eastern Division, Boston, Commonwealth of Massachusetts, by mailing to the Chief Deputy Clerk of that Court the Plaintiff's Request for Default Judgment upon Assessment of Damages; Affidavit in Support of Assessment of Damages; and Default Judgment, and did enclose in said correspondence the original above-mentioned documents for filing.

Signed receipt of the delivery of the aforesaid letter is affixed hereto.

Signed under the pains and penalties of perjury this 14<sup>th</sup> day of April, 2005.

  
Richard J. O'Brien, Esquire

COMMONWEALTH OF MASSACHUSETTS

Berkshire, ss.

April 14<sup>th</sup>, 2005

On this 14<sup>th</sup> day of April, 2005, before me, the undersigned notary public, personally appeared RICHARD J. O'BRIEN, ESQUIRE, proved to me through satisfactory evidence of identification, which was personally known to me to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose.

Janice M. Filpi

Janice M. Filpi, Notary Public

My Commission Expires: August 18, 2006



**RICHARD J. O'BRIEN**  
**Attorney and Counselor at Law**  
**The Central Block**

**75 North Street - Suite 310**  
**Pittsfield, MA 01201**  
**(413) 499-5656**  
**FAX (413) 445-4926**

March 11, 2005

U.S. District Court - Eastern Division  
John Joseph Moakley U.S. Courthouse  
Att: William L. Ruane, Jr., Chief Deputy Clerk  
Federal Building and Court House  
1 Courthouse Way  
Boston, MA 02210-3002

Re: Wellesley Leasing, LLC v. Telx Communications Corporation  
Case No. 04-11814-WGY

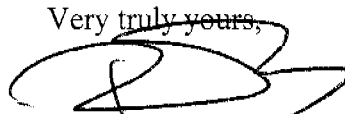
Dear Chief Deputy Clerk Ruane:

Enclosed herewith for filing please find the following:

1. Request for Default Judgment upon Assessment of Damages;
2. Affidavit in Support of Assessment of Damages; and
3. Default Judgment.

Should you have any questions, please don't hesitate to contact my office.

Very truly yours,



Richard J. O'Brien

RJO:jmf

Enclosures

cc: Telx Communications Corporation  
Wellesley Leasing, LLC

# Postage Transaction Record

Thursday, April 14, 2005

Device ID: 062S0005232644  
 License #:   
 Print Date: March 11, 2005 - 12:01:39 PM  
 Mail Date: March 11, 2005

Return Address: RICHARD J. O'BRIEN  
 75 NORTH ST STE 310  
 PITTSFIELD  
 MA 01201

Delivery Address: Telx Communications Corp.  
 Att: Rory J. Cutala  
 Chief Executive Off  
 17 State St Fl 33  
 New York NY 10004-1501

Weight: 0 lbs 2 oz

Reference: TLP Leasing

Refund Type: e/Refund

Cost:	Postage
	Mail Class
	First-Class Mail:
	\$0.60

Total Cost: \$0.60